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Security Council

Sixty-fifth year

Provisional

6269th meeting

Thursday, 11 February 2010, 10 a.m.

New York

President:	Mr. Araud	(France)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Liu Zhenmin
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Takasu
	Lebanon	Mr. Salam
	Mexico	Mr. Heller
	Nigeria	Mrs. Ogwu
	Russian Federation	Mr. Dolgov
	Turkey	Mr. Apakan
	Uganda	Mr. Kamahungye
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. DiCarlo

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2010/50)

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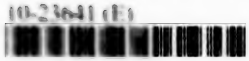

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2010/50)

The President *(spoke in French)*: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Dmitry Titov, Assistant Secretary-General for Peacekeeping Operations.

It is so decided.

I invite Mr. Titov to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur, contained in document S/2010/50.

At this meeting, the Council will hear a briefing by Mr. Dmitry Titov, to whom I give the floor.

Mr. Titov: I thank you, Sir, for this opportunity to brief the Security Council on the situation in Darfur as it considers the Secretary-General's latest report (S/2010/50) on this subject.

As the Council members are aware, the Sudan has reached a critical juncture and will face enormous challenges in the coming year. National elections are scheduled to take place in less than two months, and the referendum on the self-determination of Southern Sudan is due to be held in less than one year. In this context, the democratic transformation of the Sudan at the national level requires the urgent resolution of key issues in Darfur, including the representation of all Darfurians in the electoral process, the negotiations taking place in Doha, and the cessation of military activities in the region.

The most urgent political issue in the Sudan — including obviously Darfur — is the national elections scheduled for April. While some of the trends affecting Darfur have been positive, the overall situation remains complicated and volatile. Equally positive are ongoing consultations between the leaders of the North and the South and the dialogue among various political forces in both parts of the Sudan. The peaceful conduct of the registration process in November and December 2009 was another encouraging development. The overall figure of registered persons in Darfur alone totals almost 70 per cent of the eligible population and is impressive. However, based on data available from the National Elections Commission, it seems that only relatively small numbers of internally displaced persons have registered.

Reports indicate that large numbers of displaced persons loyal to Abdul Wahid boycotted the registration process. Indeed, his movement appealed to its supporters to do so. In addition, the National Elections Commission was unable to establish registration centres in some internally displaced persons camps, such as in Kalma Camp in Southern Darfur. In Northern Darfur, the National Elections Commission reported 48,728 internally displaced persons (IDPs) registered out of the total of 510,000 estimated by our colleagues in the Office for the Coordination of Humanitarian Affairs. In Southern Darfur, it is reported that no IDPs in the camps were registered for the elections out of an estimated total of 1,411,000. In Western Darfur, there were no specific numbers provided by the National Elections Commission on IDP registration for the estimated 747,000 IDPs, because the registration centres were located outside of IDP camps.

As the Secretary-General stated in his recent report on elections in the Sudan (S/2009/391), the Government of National Unity must take concrete steps to ensure free, fair and credible elections, and we sincerely hope that it will do so. Among measures that should have been put in place were those necessary to ensure the meaningful participation of internally displaced persons, refugees and other groups affected by the conflict. As members will understand, that would be particularly important since the IDP communities represent those who have been directly affected by the crisis in Darfur. After the elections, a major challenge will be to ensure that the elected officials will actually represent the interests of those

left out of the electoral process. In the context of the Darfur Peace Agreement, it is therefore even more important that the interests of all Darfurians be taken into account in the negotiations and in the implementation of any future peace agreement. That peace agreement itself should have particular meaning for all major groups in that war-torn region.

In addition, it is extremely important that the laws necessary to promote freedom of speech and assembly be put in place, since both are essential to effective campaigning, first and foremost by the Government. At the moment, these basic freedoms are constrained under the 1997 emergency laws, which have been lifted in all of the Sudan but continue to be applied to all three Darfur states. It will also be important that the National Security Law, which allows security services to detain people without proper justification or cause, be revised or suspended before the elections begin on 11 April.

In accordance with its mandate, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) has supported the work of the United Nations Mission in the Sudan to provide technical assistance to the Government of National Unity in preparations for the elections. Nevertheless, the organization and execution of elections is a Sudanese-owned national process. The National Elections Commission continues to face considerable technical challenges, including the establishment of hundreds of thousands of polling stations and the transportation of large quantities of electoral materials to remote locations. While UNAMID stands ready to assist in addressing technical issues, the assistance given will obviously be constrained by the resources available to the Mission and also defined by the requests by the National Elections Commission. As of now, as the Security Council may be aware, the Commission has requested only limited assistance from the United Nations.

The mediation has continued to work actively towards an inclusive negotiated settlement to the crisis in Darfur through a three-track approach. First, Joint Chief Mediator Bassolé has worked with the belligerent parties to facilitate the direct negotiation of a peace agreement. Secondly, the mediation has expanded the consultations to include Darfurian civil society. Thirdly, it has worked towards the improvement of Chad-Sudan relations.

Thus far, formal talks between the parties have not been possible, although informal discussions in Doha are ongoing with representatives of the Government of the Sudan, the Justice and Equality Movement (JEM), and the two coalitions known as the Addis Ababa and Tripoli groups, which are acting with the close support of the Governments of Libya and the United States. The Addis and Tripoli groups have, unfortunately, shown themselves to be unprepared for substantive negotiations. While JEM has been able to articulate a more complete political platform than the other movements, in the assessment of many on the ground there remain questions about its readiness to participate in negotiations.

The key message that Mr. Bassolé has given to the parties in Doha is that they must engage more constructively and with greater flexibility. It is also of critical importance that negotiations continue after the elections, if no agreement is reached by April, so that the enormous efforts of all stakeholders continue to build towards a peace agreement.

Similarly, greater focus will be given to the involvement of civil society in the peace process. Ultimately, the success of the Darfur peace process will depend on the extent to which it addresses the problem of political and economic marginalization in Darfur. UNAMID has been strongly supporting the mediation to ensure that the views of the vibrant civil society in Darfur are fully reflected in the Doha process.

The appointment by the Secretary-General and African Union (AU) Chairperson Ping of the new Joint Special Representative, Ibrahim Gambari, was intended to give impetus to the establishment of sustained civil society dialogue. Mr. Gambari will work closely with the African Union High-level Implementation Panel Chairman, Mr. Mbeki, and with Mr. Bassolé in helping Darfurians to establish an inclusive and sustained civil society dialogue that can ensure that the root causes of the conflict are on the negotiating table and that the agreement reflects the desires of the people. The continuation of that dialogue will be essential in supporting the implementation of the agreement with the state and national Governments.

In that context, the establishment of the African Union High-level Implementation Panel, led by President Mbeki, was an important step that demonstrates the commitment of the African Union to resolve the conflict in Darfur. The Secretariat is

working with the African Union to ensure that the work of the Joint Special Representative, the Chief Mediator, the new Special Representative of the Secretary-General for the Sudan, Mr. Haile Menkerios, and President Mbeki is complementary and mutually supportive.

In the meantime, the Secretary-General has welcomed the resumption of high-level dialogue between Chad and the Sudan and the signing, on 15 January, of the Accord on Normalization of Relations. That agreement must serve as the basis for increased security along the common border, which is a key aspect of the Darfur Peace Agreement. The decision of the Chadian authorities to expel — according to their definition — Sudanese armed opposition groups from Chadian territory was a positive step, but there are still reports of cross-border activities from both sides of the border.

It is also a positive development that President Deby Itno met with President Al-Bashir in Khartoum on 8 February. Some observers have even called it a historic event. In any case, it offers a historic opportunity for both parties to move forward. While the full implications of the agreement reached during that meeting are not yet clear to us — and have not been communicated — it was an important step, in the assessment of our colleagues on the ground, in the two countries' efforts to improve relations and in the settlement of the Darfur conflict. The agreement, as reported, envisages the establishment in the coming days of a special joint force allowing the two countries to improve the situation at the border. In addition, the Government of the Sudan publicly invited Darfur insurgents operating from Chad to join the electoral process.

As indicated in the Secretary-General's report under the Council's consideration, the security situation in Darfur continues to be marked by sporadic fighting among rebel forces themselves and between the Government of the Sudan and rebel movements. In January, there was a spate of fighting between JEM and Sudan Liberation Army (SLA)-Minni Minnawi fighters, as well as among various SLA groups in Jebel Marra. During the reporting period, the Mission also documented attacks by Government forces on a couple of villages near Malha, in Northern Darfur, on 25 November 2009, and clashes between the Government of the Sudan and JEM forces in Silea, in Western Darfur, in January. This week, after the killing of a Government soldier, some Arab militias and police were observed surrounding the Kass IDP camp, which could portend further suffering for the population.

In the meantime, the Chadian opposition groups relocated their base further west near Mellit, but their actions continue to seriously affect the local population. Also, carjackings and attacks on international non-governmental organizations and United Nations personnel continue, including in the cities of Nyala and El Fasher. All those military activities seriously undermine efforts to achieve a political solution and continue to put civilian lives at risk.

The Secretariat is also deeply concerned at the intentional killing of five UNAMID peacekeepers during the reporting period. We pay tribute to the five soldiers from Rwanda who made the ultimate sacrifice. The Secretary-General has condemned all such attacks in the strongest possible terms. Going forward, UNAMID will continue to take the necessary measures to maximize the safety and security of its personnel, while also establishing a robust and proactive presence throughout Darfur in accordance with its mandate. In that context, it is crucial that all stakeholders in Darfur respect the freedom of movement of UNAMID personnel.

As mentioned in the Secretary-General's report covering the past three months, UNAMID documented at least 21 instances in which its freedom of movement was restricted, including six incidents involving Government forces and nine involving SLA-Abdul Wahid. I should stress that those restrictions have also continued over the past two weeks. It is of particular concern that many of the recent incidents in which rebel movements have actually prevented UNAMID's freedom of movement have included threats of physical harm to UNAMID personnel, the brandishing of weapons, the firing of shots into the air and the confiscation of UNAMID equipment.

In a much more welcome development, on 13 December two UNAMID staff members who had been held in Darfur for more than 100 days were released from captivity. We will continue to operate under the principle that the primary responsibility for the safety and security of United Nations and humanitarian personnel in Darfur lies with the authorities. We were equally delighted to see that the representative of the International Committee of the

Red Cross in Darfur was also freed in good health this week, after three weeks in captivity in the region.

Mr. Gambari's arrival comes at a time when significant steps have been taken towards the full deployment of the Mission, allowing the UNAMID leadership to focus robustly on its core tasks of protecting the population and facilitating humanitarian activities. By the end of February, all but two of the 18 United Nations battalions and all but four force enablers will have deployed. Currently, only six formed police units remain outstanding, but many of them are on track. It is an important development that the Ethiopian tactical helicopter unit is expected to deploy to Nyala in mid-February, which will provide a much-needed key capability for the Mission.

UNAMID continues to provide a 24/7 presence in most IDP camps and, so far, has increased to almost 30 the number of its long-range patrols. Community policing activities have also contributed significantly to the reduction of violent crime in many camps in Darfur and nearby communities.

As the Sudan enters the final year of the Comprehensive Peace Agreement, it is important that the challenges facing Darfur be viewed within a national context as well. The conflicts in the Sudan, which have a primarily internal dynamic, cannot be solved in piecemeal fashion or by addressing primarily external factors. Core issues such as power- and wealth-sharing require a comprehensive and visionary approach that takes into account the interests of all stakeholders throughout the Sudan, in particular of those who have been marginalized by conflict itself for too long.

While the challenges in Darfur remain enormous, there is a hope and an opportunity that the coming year will bring positive changes to the region. The Secretary-General believes that the international community will speak with one voice and urge all members of the Security Council and all stakeholders to work towards a positive democratic transformation in the Sudan that includes a peaceful political resolution to the conflict in Darfur.

The President (*spoke in French*): I thank Mr. Titov very much for his briefing.

There are no further speakers inscribed on my list. In accordance with the understanding reached in the course of the Council's prior consultations, I now invite Council members to informal consultations to continue or discussion of the subject.

The meeting rose at 10.30 a.m.